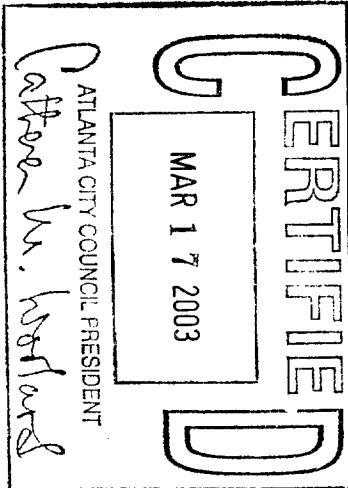


Entered -02-11-03 - sb
CL 03L0107 - GWENDOLYN BURNS

CLAIM OF:

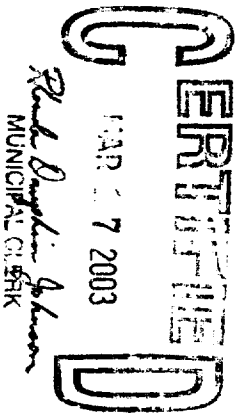
RODNEY KELSO
6430 Shadow Court
Douglasville, Georgia 30134


03-*R*-0345



For vehicular damages alleged to have been sustained from driving over a pothole on December 26, 2002 at Interstate 285 and Bankhead Highway.

THIS ADVERSED REPORT IS
APPROVED



BY: 
JERRY L. DELOACH
DEPUTY CITY ATTORNEY

ADVERSE REPORT

COMM: Public Safety

DATE: 3/13/03

CHAIR: [Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]



OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103

March 26, 2003

Rodney Kelso
6430 Shadow Court
Douglasville, GA 30134

03-R-0345

Dear Mr. Kelso:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on March 17, 2003. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the City Attorney's Office/Claims Division at (404) 330-6400.

Yours very truly,

Rhonda Dauphin Johnson
Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 03L0107

Date: February 24, 2003

Claimant /Victim RODNEY KELSO
BY: (Atty) (Ins. Co.) _____
Address: 6430 Shadow Court, Douglasville, Georgia 30134
Subrogation: _____ Claim for Property damage \$ 2,813.77 Bodily Injury \$ _____
Date of Notice: 2/6/03 Method: Written, Proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 12/26/02 Place: Interstate 285 & Bankhead Highway, NW
Department _____ Division _____
Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: Claimant alleges that his vehicle sustained damage when he drove over a pothole in the road. However, Interstate 285 is a state route and is operated and maintained by the State of Georgia, Department of Transportation. The claimant has been so advised and his claim has been forwarded to the State of Georgia for resolution.

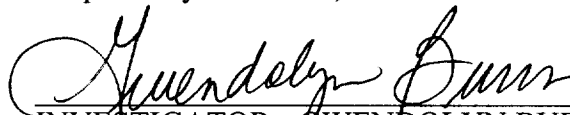
INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____
Pictures _____ Diagrams _____ Reports: Police _____ Dept Report _____ Other X
Traffic citations issued: City Driver _____ Claimant Driver _____
Citation disposition: City Driver _____ Claimant Driver _____

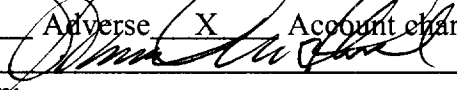
BASIS OF RECOMMENDATION:

Function: Governmental _____ Ministerial _____
Improper Notice _____ More than Six Months _____ Other X Damages reasonable _____
City not involved X Offer rejected _____ Compromise settlement _____
Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____
Claimant Negligent _____ City Negligent _____ Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ _____ Adverse X Account charged: 1A01 _____ 2J01 _____ 2P01 _____ 2H01 _____
Claims Manager:  Concur/date 02-
Committee Action: _____ Council Action _____

RCS# 4538
3/17/03
2:53 PM

Atlanta City Council

Regular Session

CONSENT I Pgs. 1-11; Except 03-O-0219; 03-O-0323
 03-O-0220; 03-O-0221
 ADOPT

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	B Martin	Y Norwood
NV Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	NV Boazman	NV Woolard

CONSENT I

3/17/03 FULL COUNCIL MEETING		
Items Adopted on the Consent Agenda		Items Adversed on the Consent Agenda
1. 03-O-0408	36. 03-R-0329	45. 03-R-0336
2. 03-O-0392	37. 03-R-0330	46. 03-R-0337
3. 03-O-0305	38. 03-R-0331	47. 03-R-0338
4. 03-O-0380	39. 03-R-0332	48. 03-R-0339
5. 03-O-0388	40. 03-R-0333	49. 03-R-0340
6. 03-O-0234	41. 03-R-0334	50. 03-R-0341
7. 03-O-0228	42. 03-R-0335	51. 03-R-0342
8. 03-O-0229	43. 03-R-0347	52. 03-R-0343
9. 03-O-0385	44. 03-R-0415	53. 03-R-0344
10. 03-O-0386		54. 03-R-0345
11. 03-R-0348		
12. 03-R-0349		
13. 03-R-0351		
14. 03-R-0352		
15. 03-R-0597		
16. 03-R-0353		
17. 03-R-0354		
18. 03-R-0190		
19. 03-R-0346		
20. 03-R-0361		
21. 03-R-0417		
22. 03-R-0356		
23. 03-R-0357		
24. 03-R-0358		
25. 03-R-0370		
26. 03-R-0371		
27. 03-R-0372		
28. 03-R-0373		
29. 03-R-0374		
30. 03-R-0383		
31. 03-R-0387		
32. 03-R-0325		
33. 03-R-0326		
34. 03-R-0327		
35. 03-R-0328		

Consent I Vote: 12Yeas; 0 Nays: (See RCS #4538)
 Items Removed from the Consent Agenda: 03-O-0219; 03-O-0323; 03-O-0220; &
 03-O-0221